

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ANNETTE M. SCHAFFHAUSER and	:	CIVIL ACTION NO. 1:05-CV-2075
STEVE E. SCHAFFHAUSER, JR.,	:	
	:	(CONSOLIDATED)
Plaintiffs	:	
	:	(Judge Conner)
v.	:	
	:	
CITIBANK (SOUTH DAKOTA) N.A.,	:	
et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 1st day of December, 2006, upon consideration of the motions to dismiss (Docs. 18, 20), filed by Citibank (South Dakota), N.A. (“Citibank”),¹ and it appearing that plaintiffs have filed an amended complaint (see Doc. 69),² and that the amended complaint renders the previous complaints a legal nullity, see Snyder v. Pascack Valley Hosp., 303 F.3d 271, 276 (3d Cir. 2002) (“An amended complaint supercedes the original version in providing the blueprint for the future course of the lawsuit.”); 6 CHARLES ALAN WRIGHT ET AL., FEDERAL PRACTICE AND PROCEDURE § 1476 (2d ed. 1990) (“Once an amended pleading is interposed, the original pleading no longer performs any function in the case . . .”),

¹ The court notes that Citibank also filed a motion for sanctions pursuant to Rule 11 of the Federal Rules of Civil Procedure (Doc. 33).

² The order of court dated November 1, 2006 (Doc. 65) permitted plaintiffs’ new counsel to file a sur-reply to the motions to dismiss or an amended complaint addressing the issues set forth in the motions.

it is hereby ORDERED that the motions to dismiss (Docs. 18, 20) are DENIED as moot.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge